

First Named Inventor: Horst Heckmann

Application No.: 10/056,898

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REMARKS

This Amendment is submitted in response to the Office Action mailed on December 2, 2003. Claims 1 - 5 and 7 - 10 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner indicated that the phrase "in each case" in claim 1, line 16 is indefinite. Therefore, this phrase has been deleted from the amended claim. The Examiner also indicated that the recitation of "movable telescopes" and "stationary telescopes" is indefinite. Therefore, these terms have been changed to "movable telescoping members" and "stationary members." The dictionary defines the verb "telescoping" to mean "to cause to slide inward or outward in overlapping sections, as the cylindrical sections of a small hand telescope do." *The American Heritage Dictionary for the English Language, Fourth Edition, 2000.*

The Office Action stated that "[T]he claims are confusing as to what constitutes the common carrier and the stationary telescopes. The claim language would appear to suggest that these are two different parts of the invention, but in the disclosure the stationary telescopes and the common carrier are the same part." Independent claim 1 has been amended to cover an embodiment in which a front section of a common carrier serves as a stationary member for a front movable telescoping member and in which a back section of a common carrier serves as a stationary member for a back movable telescoping member. Such a configuration is described in one embodiment of the present invention. Another embodiment is disclosed in the application in which the stationary members are separate from the carriers. See, for example, page 3, lines 5 - 7, and page 5, lines 1 - 2. Such a configuration is covered implicitly in independent claim 1 and is recited explicitly in dependent claims 3 and 7, for example.

The Office Action indicated that claims 1 - 5 and 7 - 10 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph. Applicant has attempted in earnest to address each issue raised in the Office Action. Applicant respectfully submits that all pending claims 1 - 5 and 7 - 10 are now in condition for allowance.

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CONCLUSION

Applicant respectfully requests notice of the allowance of claims 1 - 5 and 7 - 10. The Commissioner is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 11-0982.

Respectfully submitted,

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